

investment company's joint or joint and several participation with an affiliated person in a transaction in connection with any joint enterprise or other joint arrangement or profit-sharing plan "on a basis different from or less advantageous than that of" the affiliated person. Eligible Directors will not receive a benefit, directly or indirectly, that would otherwise inure to a Fund or its shareholders. Eligible Directors will receive tax deferral but the Plan otherwise will maintain the parties, viewed both separately and in their relationship to one another, in the same position as if the deferred fees were paid on a current basis. When all payments have been made to a Eligible Director, the Eligible Director will be no better off, relative to the Funds, than if he or she had received directors fees on a current basis and invested them in Underlying Securities.

#### Applicants' Conditions

Applicants agree that the order granting the requested relief shall be subject to the following conditions:

1. With respect to the relief requested from rule 2a-7, any money market Fund, or series thereof, that values its assets in accordance with a method prescribed by rule 2a-7 will buy and hold the Underlying Securities that determine the value of the Deferred Fee Accounts to achieve an exact match between such Funds' or series' liability to pay deferred fees and the assets that offset that liability.

2. If a Fund purchases Underlying Securities issued by an affiliated Fund, the Fund will vote such shares in proportion to the votes of all other shareholders of such affiliated Fund.

For the Commission, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

*Deputy Secretary.*

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## DEPARTMENT OF STATE

[Public Notice 2302]

### Bureau of Oceans and International Environmental and Scientific Affairs; Conservation Measures for Antarctic Fishing Under the Auspices of the Commission for the Conservation of Antarctic Marine Living Resources

**AGENCY:** Bureau of Oceans and International Environmental and Scientific Affairs, State.

**ACTION:** Notice.

**SUMMARY:** At its Fourteenth Meeting in Hobart, Tasmania, October 24 to November 3, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), of which the United States is a member, adopted the conservation measures listed below, pending countries' approval, pertaining to fishing in the CCAMLR Convention Area in Antarctic waters. These were agreed upon in accordance with Article IX of the Convention for the Conservation of Antarctic Marine Living Resources. The measures restrict overall catches of certain species of fish, prohibit the taking of certain species of fish, list the fishing seasons, define the reporting requirements, and specify measures that must be taken to minimize the incidental taking of non-target species.

**DATES:** Persons wishing to comment on the measures or desiring more information should submit written comments by January 11, 1996.

**FOR FURTHER INFORMATION CONTACT:** Erica Keen, Division of Polar Affairs, Office of Oceans Affairs (OES/OA/PA), Room 5805, Department of State, Washington, D.C. 20520, (202) 647-3262.

#### SUPPLEMENTARY INFORMATION

Conservation Measures Adopted at the Fourteenth Annual Meeting of CCAMLR

At its Fourteenth Annual Meeting in Hobart, Tasmania, October 24 to November 3, 1995, the Commission on the Conservation of Antarctic Marine Living Resources (CCAMLR) adopted the following conservation measures. The conservation measures addressing catch limitations were adopted in accordance with Conservation Measure 7/V and therefore enter into force immediately.

Conservation Measures Adopted in 1995

#### *Conservation Measure 29/XIV<sup>1, 2</sup>*

Minimization of the Incidental Mortality of Seabirds in the Course of Longline Fishing or Longline Fishing Research in the Convention Area

The Commission, *Noting* the need to reduce the incidental mortality of seabirds during longline fishing by minimizing their attraction to fishing vessels and by preventing them from attempting to seize baited hooks, particularly during the period when the lines are set,

*Adopts* the following measures to reduce the possibility of incidental mortality of seabirds during longline fishing.

1. Fishing operations shall be conducted in such a way that the baited hooks sink as soon as possible after they are put in the water.<sup>3</sup> Only thawed bait shall be used.

2. Longlines shall be set at night only (i.e., between the times of nautical twilight).<sup>4</sup> During longline fishing at night, only the minimum ship's lights necessary for safety shall be used.

3. The dumping of offal shall be avoided as far as possible while longlines are being set or hauled; if discharge of offal is unavoidable, this discharge shall take place on the opposite side of the vessel to that where longlines are set or hauled.

4. Every effort should be made to ensure that birds captured alive during longlining are released alive and that wherever possible hooks are removed without jeopardizing the life of the bird concerned.

5. A streamer line designed to discourage birds from settling on baits during deployment of longlines shall be towed. Specification of the streamer line and its method of deployment is given in the Appendix to this Measure. Details of the construction relating to the number and placement of swivels may be varied so long as the effective sea surface covered by the streamers is no less than that covered by the currently specified design. Details of the device dragged in the water in order to create tension in the line may also be varied.

6. Other variations in the design of streamer lines may be tested on vessels carrying two observers, at least one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, providing that all other elements of this Conservation Measure are complied with.<sup>5</sup>

<sup>1</sup> Except for waters adjacent to the Kerguelen and Crozet Islands.

<sup>2</sup> Except for waters adjacent to the Prince Edward Islands.

<sup>3</sup> For vessels using the Spanish method of longline fishing, weights should be released before line tension occurs; wherever possible weights of at least 6 kg mass should be used, spaced at 20 m intervals.

<sup>4</sup> Wherever possible, setting of lines should be completed at least three hours before dawn (to reduce loss of bait to/catches of white-chinned petrels).

<sup>5</sup> The streamer lines under test should be constructed and operated taking full account of the principles set out in WG-IMALF-94/19 (available from the CCAMLR Secretariat); testing should be carried out independently of actual commercial fishing and in a manner consistent with the spirit of Conservation Measure 65/XII.

*Conservation Measure 45/XIV*Precautionary Catch Limitation on *Euphausia superba* in Statistical Division 58.4.2

The total catch of *Euphausia superba* in Statistical Division 58.4.2 shall be limited to 450 000 tonnes in any fishing season. A fishing season begins on 1 July and finishes on 30 June of the following year.

This limit shall be kept under review by the Commission, taking into account the advice of the Scientific Committee.

For the purposes of implementing this Conservation Measure, the catches shall be reported to the Commission on a monthly basis.

*Conservation Measure 78/XIV*Precautionary Catch Limits on *Champocephalus gunnari* and *Dissostichus eleginoides* in Statistical Division 58.5.2

1. In accordance with the management advice of the 1994 meeting of the Scientific Committee:

(i) a precautionary TAC of 311 tonnes in any one season shall be set for *Champocephalus gunnari* in Division 58.5.2; and

(ii) a precautionary TAC of 297 tonnes in any one season shall be set for *Dissostichus eleginoides* in Division 58.5.2.

These TACs may only be taken by trawling.

2. If, in the course of a directed fishery for *Dissostichus eleginoides* or *Champocephalus gunnari*, the by-catch in any haul of any of the species *Lepidonotothen squamifrons*, *Notothenia rossii*, *Channichthys rhinoceratus* or *Bathyraja* spp. exceeds 5%, the fishing vessel shall move to another fishing location not closer than 5 n miles distant.<sup>1</sup> The fishing vessel shall not fish within 5 n miles of the location in which the by-catch exceeded 5%, for a period of at least five days.<sup>2</sup>

3. The Ten-day Catch and Effort Reporting System set out in Conservation Measure 61/XII and the Monthly Effort and Biological Data Reporting System set out in Conservation Measure 52/XI shall apply.

4. The fishing season shall commence in each year at the close of the annual meeting of the Commission and shall continue until the respective precautionary catch limits are reached or until 30 June, whichever comes first.

5. The catch limits shall be kept under review by the Commission, taking into account the advice of the Scientific Committee.

<sup>1</sup>This provision is adopted pending the adoption of a more appropriate definition of a fishing ground by the Commission.

<sup>2</sup>The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XXI, pending the adoption of a more appropriate period by the Commission.

*Conservation Measure 88/XIV*

## New Fishery in Statistical Division 58.4.3 in the 1995/96 Season

The Commission, Welcoming the notification of Australia of its intention to conduct a new fishery in Statistical Division 58.4.3 for *Dissostichus* species.

Noting that no other Member has notified the Commission of the intent to establish a new fishery for these species in this Statistical Division.

Agreeing that no other fishing shall occur for the *Dissostichus* species in Statistical Division 58.4.3 in the 1995/96 season.

adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. The new fishery by Australia for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Division 58.4.3 shall be limited to 200 tonnes for both species combined. This fishery shall be conducted by bottom trawling only.

2. For the purposes of this new fishery, the fishing season is defined as the period from 4 November 1995 until 30 June 1996.

3. The by-catch of any other species in this Statistical Division shall not exceed 50 tonnes for each species.

4. Fishing should take place over as large a geographical and bathymetric range as possible within the Statistical Division. In particular, areas where concentrations of fish are found should not be the only areas that are fished.

5. The Ten-day Catch and Effort Reporting System, as set out in Conservation Measure 61/XII shall apply.

6. Monthly effort and biological data shall be reported in accordance with Conservation Measure 52/XI. By-catch species are defined as any cephalopod, crustacean or fish species other than *Dissostichus* species.

*Conservation Measure 89/XIV*

## New Fishery in Statistical Division 58.5.2 in the 1995/96 Season for Deep-water Species

The Commission, Welcoming the notification of Australia of its intention to conduct a new fishery in the 1995/96 season in Statistical Division 58.5.2 for deep-water species, not covered by Conservation Measure 78/XIV,

Noting that no other Member has notified the Commission of the intent to establish a new fishery for these species in this Statistical Division, adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. The new fishery by Australia for deep-water species, not covered by Conservation Measure 78/XIV, shall be limited to 50 tonnes for each species. This fishery shall be conducted by bottom trawling only.

2. For the purposes of this new fishery, the fishing season is defined as the period from 4 November 1995 to 30 June 1996.

3. If, in any haul, the by-catch of any of the species *Lepidonotothen squamifrons*, *Notothenia rossii*, *Channichthys rhinoceratus* or *Bathyraja* spp. exceeds 5%, the fishing vessel shall move to another location not closer than 5 n miles distant.<sup>1</sup> The fishing vessel shall not fish within 5 n miles of the location in which the by-catch exceeded 5%, for a period of at least five days.<sup>2</sup>

4. The Ten-day Catch and Effort Reporting System, as set out in Conservation Measure 61/XII shall apply.

5. Monthly effort and biological data shall be reported in accordance with Conservation Measure 52/XI.

<sup>1</sup>This provision is adopted pending the adoption of a more appropriate definition of a fishing ground by the Commission.

<sup>2</sup>The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

*Conservation Measure 90/XIV*

## Experimental Harvest Regime for the Crab Fishery in Statistical Subarea 48.3 for the Seasons 1995/96 to 1997/98

The following measures apply to all crab fishing within Statistical Subarea 48.3 for the 1995/96, 1996/97 and 1997/98 fishing seasons. Every vessel participating in the crab fishery in Subarea 48.3 shall conduct fishing operations in accordance with an experimental fishing regime as outlined below:

1. The experimental regime shall consist of three phases. Each vessel participating in the fishery shall complete all three phases. Phase 1 shall be conducted during the first season that a vessel participates in the experimental regime. Phases 2 and 3 shall be completed in the next season of fishing.

2. Vessels shall conduct Phase 1 of the experimental regime at the start of their first season of participation in the

experimental regime. For the purposes of Phase 1, the following conditions shall apply:

(i) Phase 1 shall be defined as a vessel's first 200,000 pot hours of effort at the start of its first fishing season;

(ii) every vessel conducting Phase 1 shall expend its first 200,000 pot hours of effort within a total area delineated by twelve 0.5° latitude by 1.0° longitude blocks. For the purposes of this Conservation Measure, these blocks shall be numbered A through L. The blocks are illustrated in Figure 1, and the northeast corner of each block is listed in Table 1 of Annex 90/A. For each string, pot hours shall be calculated by taking the total number of pots on the string and multiplying by the soak time (in hours) for that string. Soak time shall be defined for each string as the time between start of setting and start of hauling;

(iii) vessels shall not fish outside the area delineated by the twelve 0.5° latitude by 1.0° longitude blocks prior to completing Phase 1;

(iv) during Phase 1, vessels shall not expend more than 30,000 pot hours in any single 0.5° latitude by 1.0° longitude block;

(v) if a vessel returns to port before it has expended 200,000 pot hours in Phase 1, the balance of remaining pot hours shall be expended before the vessel can consider Phase 1 to be completed; and

(vi) after completing 200,000 pot hours of experimental fishing, vessels shall consider Phase 1 to be completed and commence fishing in a normal fashion.

3. Normal fishing operations shall be conducted in accordance with the regulations set out in Conservation Measure 91/XIV.

4. For the purposes of implementing normal fishing operations after Phase 1 of the experimental regime, the Ten-day Catch and Effort Reporting System set out in Conservation Measure 61/XII shall apply.

5. Vessels shall conduct Phase 2 of the experimental regime at the start of their second season of participation in the experimental regime. For the purposes of Phase 2, the following conditions shall apply:

(i) every vessel conducting Phase 2 shall fish in three small squares measuring approximately 26 n miles<sup>2</sup> in area (the dimensions of these squares shall be 6.0' latitude by 7.5' longitude). These squares shall be subdivisions of the blocks delineated in Phase 1 of the experimental regime;

(ii) vessel captains shall determine the location of the three squares that will be fished, but selected squares may not be

contiguous and the distance between the boundaries of any two squares must be at least 4 n miles;

(iii) vessels shall fish continuously (except in emergencies or foul weather conditions) within a single square until the average catch per pot has been reduced to 25% or less of its initial value and then continue fishing for an additional 7,500 pot hours. Not more than 50,000 total pot hours shall be expended in each square. For the purposes of Phase 2, the initial catch rate for a particular square shall be defined as the average catch per pot calculated from the first five sets made in that square. Soak times for these initial sets shall be at least 24 hours;

(iv) vessels shall finish fishing in one square before starting operations in another square;

(v) vessels shall attempt to distribute effort throughout the entire square and not fish the gear in the same location on every set; and

(vi) after completing fishing operations in the third square, fishing vessels shall consider Phase 2 to be completed and commence fishing in a normal fashion.

6. For the purposes of implementing normal fishing operations after Phase 2 of the experimental regime, the Ten-day Catch and Effort Reporting System set out in Conservation Measure 61/XII shall apply.

7. Vessels shall conduct Phase 3 of the experimental regime at the end of their second season of participation in the experimental regime. For the purposes of Phase 3, the following conditions shall apply:

(i) a vessel shall begin conducting Phase 3 of the experimental regime approximately one week prior to the conclusion of its second fishing season. A vessel's fishing season shall be concluded if the vessel leaves the fishery voluntarily or if the fishery is closed because the TAC has been attained;

(ii) if a vessel captain voluntarily concludes fishing operations, the vessel shall begin implementing Phase 3 approximately one week prior to the conclusion of its fishing operations;

(iii) the CCAMLR Secretariat shall notify (according to the guidelines set out in Conservation Measure 61/XII) all Contracting Parties that are conducting operations in their second experimental fishing season to begin Phase 3 when approximately one week remains before the TAC is attained and the fishery is closed; and

(iv) to conduct Phase 3, every vessel shall return to the three squares it depleted during Phase 2 of the experimental regime and expend

between 10,000 and 15,000 pot hours of effort in each square.

8. To facilitate analysis of data collected during Phases 2 and 3, vessels shall report the coordinates defining the boundaries of the squares where fishing occurred, date, fishing effort (number and spacing of pots and soak time), and catch (numbers and weight) for each haul.

9. Data collected during the experimental harvest regime up to 30 June in any split-year shall be submitted to CCAMLR by 31 August of the following split-year.

10. Vessels that complete all three phases of the experimental regime shall not be required to conduct experimental fishing in future seasons. However, these vessels shall abide by the guidelines set forth in Conservation Measure 91/XIV.

11. Fishing vessels shall participate in the experiment independently (e.g., vessels may not cooperate to complete phases of the experiment).

12. Crabs captured during the experimental regime shall be considered part of the prevailing TAC for the current fishing season (e.g., for 1995/96, experimental catches shall be considered part of the 1,600 tonne TAC outlined in Conservation Measure 91/XIV).

13. The experimental regime shall be instituted for a period of three split-years (1995/96 to 1997/98), and the details of the regime may be revised by the Commission during this period of time. Fishing vessels that begin experimental fishing in the 1997/98 split-year must complete the regime during the 1998/99 split-year.

Annex 90/A

Locations of Fishing Areas for the Experimental Regime of the Exploratory Crab Fishery

TABLE 1.—NORTHEAST CORNERS FOR TWELVE 0.5° LATITUDE BY 1.0° LONGITUDE BLOCKS THAT ARE CONSIDERED TO BE THE OPERATIONAL AREA FOR FISHING VESSELS CONDUCTING PHASE 1 OF THE EXPERIMENTAL CRAB FISHERY REGIME (CONSERVATION MEASURE 90/XIV)

Block No.	Coordinates of Northeast Corner	
	Latitude	Longitude
A .....	53°30.0' S	39°00.0' W
B .....	53°30.0' S	38°00.0' W
C .....	53°30.0' S	37°00.0' W
D .....	53°30.0' S	36°00.0' W
E .....	53°30.0' S	35°00.0' W
F .....	54°00.0' S	36°00.0' W

TABLE 1.—NORTHEAST CORNERS FOR TWELVE 0.5° LATITUDE BY 1.0° LONGITUDE BLOCKS THAT ARE CONSIDERED TO BE THE OPERATIONAL AREA FOR FISHING VESSELS CONDUCTING PHASE 1 OF THE EXPERIMENTAL CRAB FISHERY REGIME (CONSERVATION MEASURE 90/XIV)—Continued

Block No.	Coordinates of Northeast Corner	
	Latitude	Longitude
G .....	54°00.0' S	35°00.0' W
H .....	54°30.0' S	35°00.0' W
I .....	54°30.0' S	34°00.0' W
J .....	55°00.0' S	36°00.0' W
K .....	55°00.0' S	35°00.0' W
L .....	55°00.0' S	34°00.0' W

#### Conservation Measure 91/XIV

Limits on the Exploratory Crab Fishery in Statistical Subarea 48.3 in the 1995/96 Season

The following Conservation Measure is adopted in accordance with Conservation Measure 7/V:

1. The crab fishery is defined as any commercial harvest activity in which the target species is any member of the crab group (Order *Decapoda*, Suborder *Reptantia*).

2. In Statistical Subarea 48.3, the crab fishing season is defined as the period from 4 November 1995 to end of the Commission meeting in 1996, or until the TAC is reached, whichever is sooner.

3. The crab fishery shall be limited to one vessel per Member.

4. The total catch of crab from Statistical Subarea 48.3 shall not exceed 1 600 tonnes during the 1995/96 crab fishing season.

5. Each Member intending to participate in the crab fishery shall notify the CCAMLR Secretariat at least three months in advance of starting fishing of the name, type, size, registration number, radio call sign, and research and fishing operations plan of the vessel that the Member has authorized to participate in the crab fishery.

6. All vessels fishing for crab shall report the following data to CCAMLR by 31 August 1996 for crabs caught prior to 31 July 1996:

(i) the location, date, depth, fishing effort (number and spacing of pots and soak time), and catch (numbers and weight) of commercially sized crabs (reported on as fine a scale as possible, but no coarser than 0.5° latitude by 1.0° longitude) for each 10-day period;

(ii) the species, size, and sex of a representative subsample of crab

sampled according to the procedure set out in Annex 91/A (between 35 and 50 crabs shall be sampled every day from the line hauled just prior to noon) and by-catch caught in traps, and

(iii) other relevant data, as possible, according to the requirements set out in Annex 91/A.

7. For the purposes of implementing this conservation measure, the Ten-day Catch and Effort Reporting System set out in Conservation Measure 61/XII shall apply.

8. Data on catches taken between 31 July 1996 and 31 August 1996 shall be reported to CCAMLR by 30 September 1996 so that the date will be available to the working group on Fish Stock Assessment.

9. Crab fishing gear shall be limited to the use of crab pots (traps). The use of all other methods of catching crabs (e.g., bottom trawls) shall be prohibited.

10. The crab fishery shall be limited to sexually mature male crabs—all female and undersized male crabs caught shall be released unharmed. In the case of *Paralomis spinosissima* and *P. formosa*, males with a minimum carapace width of 102 mm and 90 mm, respectively, may be retained in the catch.

11. Crab processed at sea shall be frozen as crab sections (minimum size of crabs can be determined using crab sections).

#### Annex 91/A

Data Requirements on the Exploratory Crab Fishery in Statistical Subarea 48.3

#### Catch and Effort Data

#### Cruise Descriptions

cruise code, vessel code, permit number, year.

#### Pot Descriptions

diagrams and other information, including pot shape, dimensions, mesh size, funnel position, aperture and orientation, number of chambers, presence of an escape port.

#### Effort Descriptions

date, time, latitude and longitude of the start of the set, compass bearing of the set, total number of pots set, spacing of pots on the line, number of pots lost, depth, soak time, bait type.

#### Catch Descriptions

retained catch in numbers and weight, by-catch of all species (see Table 1), incremental record number for linking with sample information.

TABLE 1.—DATA REQUIREMENTS FOR BY-CATCH SPECIES IN THE EXPLORATORY CRAB FISHERY IN STATISTICAL SUBAREA 48.3

Species	Data requirements
<i>Dissostichus eleginoides</i> .	Numbers and estimated total weight.
<i>Notothenia rossii</i>	Numbers and estimated total weight.
Other Species ...	Estimated total weight.

#### Biological Data

For these data, crabs are to be sampled from the line hauled just prior to noon, by collecting the entire contents of a number of pots spaced at intervals along the line so that between 35 and 50 specimens are represented in the subsample.

#### Cruise Descriptions

cruise code, vessel code, permit number.

#### Sample Descriptions

date, position at start of the set, compass bearing of the set, line number.

#### Data

species, sex, length of at least 35 individuals, presence/absence of rhizocephalan parasites, record of the destination of the crab (kept, discarded, destroyed), record of the pot number from which the crab comes.

#### Conservation Measure 92/XIV

Catch Limit on *Dissostichus eleginoides* in Statistical Subarea 48.4 for the 1995/96 Season

1. The total catch of *Dissostichus eleginoides* in Statistical Subarea 48.4 in the 1995/96 season shall be limited to 28 tonnes.

2. For the purposes of the fishery for *Dissostichus eleginoides* in Statistical Subarea 48.4, the 1995/96 fishing season is defined as the period from 1 March to 31 August 1996, or until the TAC for *Dissostichus eleginoides* in Subarea 48.4 is reached, or until the TAC for *Dissostichus eleginoides* in Subarea 48.3, as specified in Conservation Measure 93/XIV is reached, whichever is sooner.

3. Each vessel participating in the *Dissostichus eleginoides* fishery in Statistical Subarea 48.4 in the 1995/96 season shall have at least one scientific observer, including one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.

4. For the purpose of implementing this Conservation Measure:

(i) the Five-day Catch and Effort Reporting System set out in

Conservation Measure 51/XII shall apply in the 1995/96 season, commencing on 1 March 1996; and

(ii) the Effort and Biological Data Reporting System set out in Conservation Measure 94/XIV shall apply in the 1995/96 season, commencing on 1 March 1996.

5. Directed fishing shall be by longlines only. The use of all other methods of directed fishing for *Dissostichus eleginoides* in Statistical Subarea 48.4 shall be prohibited.

#### Conservation Measure 93/XIV

Limits on the Fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3 for the 1995/96 Season

This Conservation Measure is adopted in accordance with Conservation Measure 7/V:

1. The total catch of *Dissostichus eleginoides* in Statistical Subarea 48.3 in the 1995/96 season shall be limited to 4,000 tonnes.

2. For the purposes of the fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3, the 1995/96 fishing season is defined as the period from 1 March to 31 August 1996, or until the TAC is reached, whichever is the sooner.

3. Each vessel participating in the *Dissostichus eleginoides* fishery in Statistical Subarea 48.3 in the 1995/96 season shall have at least one scientific observer, including one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.

4. For the purpose of implementing this Conservation Measure:

(i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply in the 1995/96 season, commencing on 1 March 1996; and

(ii) the Effort and Biological Data Reporting System set out in Conservation Measure 94/XIV shall apply in the 1995/96 season, commencing on 1 March 1996.

5. Directed fishing shall be by longlines only. The use of all other methods of directed fishing for *Dissostichus eleginoides* in Statistical Subarea 48.3 shall be prohibited.

#### Conservation Measure 94/XIV

Effort and Biological Data Reporting System for *Dissostichus eleginoides* in Statistical Subareas 48.3 and 48.4 for the 1995/96 Season

This Conservation Measure is adopted in accordance with Conservation Measure 7/V:

1. At the end of each month each Contracting Party shall obtain from each

of its vessels the haul-by-haul data required to complete the CCAMLR fine-scale catch and effort data form for longline fisheries (Form C2, latest version). These data shall include numbers of seabirds and marine mammals of each species caught and released or killed. It shall transmit those data to the Executive Secretary not later than the end of the following month.

2. At the end of each month, each Contracting Party shall obtain from each of its vessels a representative sample of length composition measurements from the fishery (Form B2, latest version). It shall transmit those data to the Executive Secretary not later than the end of the following month.

3. For the purpose of implementing this Conservation Measure:

(i) length measurements of fish should be of total length to the nearest centimeter below; and

(ii) representative samples of length composition should be taken from a single fishing ground.<sup>1</sup> In the event that the vessel moves from one fishing ground to another during the course of a month, then separate length compositions should be submitted for each fishing ground.

4. Should a Contracting Party fail to transmit the fine-scale catch and effort data or length composition data to the Executive Secretary by the deadline specified in paragraph 2, the Executive Secretary shall issue a reminder to the Contracting Party. If at the end of a further two months those data have still not been provided the Executive Secretary shall notify all Contracting parties of the closure of the fishery to vessels of the Contracting Party which has failed to supply the data as required.

#### Conservation Measure 95/XIV

Limitation of the By-catch of *Gobionotothen gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Notothenia rossii* and *Lepidonotothen squamifrons*, in Statistical Subarea 48.3

This Conservation Measure is adopted in accordance with Conservation Measure 7/V:

In any directed fishery in Statistical Subarea 48.3 in any fishing season, the by-catch of *Gobionotothen gibberifrons* shall not exceed 1,470 tonnes; the by-catch of *Chaenocephalus aceratus* shall not exceed 2,200 tonnes; and the by-catch of *Pseudochaenichthys georgianus*, *Notothenia rossii* and

<sup>1</sup> Pending the provision of a more appropriate definition, the term fishing ground is defined here as the area within a single fine-scale rectangle (0.5° latitude by 1° longitude).

*Lepidonotothen squamifrons* shall not exceed 300 tonnes each.

These limits shall be kept under review by the Commission taking into account the advice of the Scientific Committee.

#### Conservation Measure 96/XIV

Precautionary TAC for *Electrona carlsbergi* in Statistical Subarea 48.3 for the 1995/96 Season

This Conservation Measure is adopted in accordance with Conservation Measure 7/V:

1. For the purposes of this Conservation Measure the fishing season for *Electrona carlsbergi* is defined as the period from 4 November 1995 to the end of the Commission meeting in 1996.

2. The total catch of *Electrona carlsbergi* in the 1995/96 season shall not exceed 109,000 tonnes in Statistical Subarea 48.3.

3. In addition, the total catch of *Electrona carlsbergi* in the 1995/96 season shall not exceed 14,500 tonnes in the Shag Rocks region, defined as the area bounded by 52°30'S, 40°W; 52°30'S, 44°W; 54°30'S, 40°W and 54°30'S, 44°W.

4. In the event that the catch of *Electrona carlsbergi* is expected to exceed 20,000 tonnes in the 1995/96 season, a survey of stock biomass and age structure shall be conducted during that season by the principal fishing nations involved. A full report of this survey including data on stock biomass (specifically including area surveyed, survey design and density estimates), age structure and the biological characteristics of the by-catch shall be made available in advance for discussion at the 1996 meeting of the Working Group on Fish Stock Assessment.

5. The directed fishery for *Electrona carlsbergi* in Statistical Subarea 48.3 shall close if the by-catch of any of the species named in Conservation Measure 95/XIV reaches its by-catch limit or if the total catch of *Electrona carlsbergi* reaches 109,000 tonnes, whichever comes first.

6. The directed fishery for *Electrona carlsbergi* in the Shag Rocks region shall close if the by-catch of any of the species named in Conservation Measure 95/XIV reaches its by-catch limit or if the total catch of *Electrona carlsbergi* reaches 14,500 tonnes, whichever comes first.

7. if, in the course of the directed fishery for *Electrona carlsbergi*, the catch of any one haul of any species other than the target species exceeds 5%, the fishing vessel shall move to

another fishing location not closer than 5 n miles distant.<sup>1</sup> The fishing vessel shall not fish within 5 n miles of location in which the catch of species, other than the target species, exceeded 5%, for a period of at least five days.<sup>2</sup>

8. For the purpose of implementing this Conservation Measure:

(i) the Catch Reporting System set out in Conservation measure 40/X shall apply in the 1995/96 season; and

(ii) the Monthly Effort and Biological Data Reporting System set out in Conservation Measure 52/XI also shall apply in the 1995/96 season. For the purposes of Conservation Measure 52/XI, the target species is *Electrona carlsbergi*, and 'by-catch species' are defined as any cephalopod, crustacean or fish species other than *Electrona carlsbergi*. For the purposes of paragraph 6(ii) of Conservation Measure 52/XI a representative sample shall be a minimum of 500 fish.

#### Conservation Measure 97/XIV

Limitation of the Total Catch of *Champocephalus gunnari* in Statistical Subarea 48.3 in the 1995/96 Season

The Commission adopted this Conservation Measure in accordance with Conservation Measure 7/V:

1. The total catch of *Champocephalus gunnari* in the 1995/96 season shall not exceed 1 000 tonnes in Statistical Subarea 48.3.

2. The fishery for *Champocephalus gunnari* in Statistical Subarea 48.3 shall close if the by-catch of any of the species listed in Conservation Measure 95/XIV reaches its by-catch limit or if the total catch of *Champocephalus gunnari* reaches 1 000 tonnes, whichever comes first.

3. If, in the course of the directed fishery for *Champocephalus gunnari*, the by-catch in any one haul of any of the species named in Conservation Measure 95/XIV exceeds 5%, the fishing vessel shall move to another location not closer than 5 n miles distant.<sup>1</sup> The fishing vessel shall not fish within 5 n miles of the location in which the by-catch exceeded 5%, for a period of at least five days.<sup>2</sup>

4. The use of bottom trawls in the directed fishery for *Champocephalus gunnari* in Statistical Subarea 48.3 is prohibited.

5. The fishery for *Champocephalus gunnari* in Statistical Subarea 48.3 shall

<sup>1</sup> This provision is adopted pending the adoption of a more appropriate definition of a fishing ground by the Commission.

<sup>2</sup> The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

be closed from 1 April 1996 until the end of the Commission meeting in 1996.

6. Any vessel of any Member intending to participate in the directed fishery for *Champocephalus gunnari* in Statistical Subarea 48.3 during the 1995/96 season shall be required to undertake a scientific survey carried out in accordance with the survey design specified in the Draft Manual for Bottom Trawl Surveys in the Convention Area (SC-CAMLR-XI, Annex 5, Appendix H, Attachment E). A list of proposed trawl survey stations shall be transmitted to the Executive Secretary at least one month before the start of the survey.

7. Each vessel participating in the directed fishery for *Champocephalus gunnari* in Subarea 48.3 in the 1995/96 season shall have a scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.

8. For the purpose of implementing paragraphs 1 and 2 of the Conservation Measure:

(i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply in the 1995/96 season; and

(ii) the Effort and Biological Data Reporting System set out in Conservation Measure 98/XIV shall apply for *Champocephalus gunnari*.

#### Conservation Measure 97/XIV

Effort and Biological Data Reporting System for *Champocephalus gunnari* in Statistical Subarea 48.3 in the 1995/96 Season

This Conservation measure is adopted in accordance with Conservation Measure 7/V:

1. At the end of each Contracting Party shall obtain from each of its vessels the haul-by-haul data required to complete the CCAMLR fine-scale catch and effort data form for trawl fisheries (Form C1, latest version). It shall transmit those data to the Executive Secretary not later than the end of the following month,

2. At the end of each month, each contracting Party shall obtain from each of its vessels a representative sample of length composition measurements from the fishery (Form B2, latest version). It shall transmit those data to the Executive Secretary not later than the end of the following month.

3. for the purpose of implementing this Conservation Measure:

(i) length measurements of fish should be of total length to the nearest centimeter below; and

(ii) representative samples of length composition should be taken from a

single fishing ground.<sup>1</sup> In the event that the vessel moves from one fishing ground to another during the course of a month, then separate length compositions should be submitted for each fishing ground.

4. Should a Contracting Party fail to transmit the fine-scale catch and effort data or length composition data to the Executive Secretary by the deadline specified in paragraph 2, the Executive Secretary shall issue a reminder to the Contracting Party. If at the end of a further two months those data have still not been provided the Executive Secretary shall notify all contracting parties of the closure of the fishery to vessels of the Contracting Party which has failed to supply the data as required.

R. Tucker Scully,

Director, Office of Oceans Affairs.

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#### [Public Notice No. 2300]

#### Shipping Coordinating Committee, Subcommittee for the Prevention of Marine Pollution; Notice of Meeting

The Subcommittee for the Prevention of Marine Pollution (SPMP), a subcommittee of the Shipping Coordinating Committee, will conduct an open meeting on January 3, 1996, at 9:30 AM in Room 2415 of U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, DC.

The purpose of this meeting will be to inform the public of the accomplishments at the Marine Environment Protection Committee (MEPC) 37, to discuss what will be on the Agenda at MEPC 38, and set forth a strategy for establishing the U.S. position on these issues. MEPC 38 will take place from July 1-10, 1996 in London, England.

The major items for discussion will be the following:

1. The adoption of amendments to Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) to require placards, garbage management plans and record keeping on ships;

<sup>1</sup> Pending the provision of a more important definition, the term fishing ground is defined here as the area within a single fine-scale grid rectangle (0.5° latitude by 1° longitude).